

LAND USE AND ZONING COMMITTEE

Minutes: February 23, 2006

The Land Use and Zoning Committee hereby find and determine that all formal actions were taken in an open meeting and that all deliberations of the Land Use and Zoning Committee, which resulted in formal action, were taken in a meeting open to the general public, in full compliance with applicable legal requirements of Section 121.22 of the Ohio Revised Code.

The meeting was called to order at 6:58 p.m.

The following members were present: Messrs. Hazel, Hullihen, Haycox, Morse, Terriaco, Klco and Messes. Ross and Garland. Staff: David Radachy.

There were two zoning district changes.

Concord Township R-1 to B-1

Staff started the presentation by showing the location of the proposed district change, which was on the west side of Ravenna Road, south Concord-Hambden Road. Staff explained that the site was 1.6 acres of land and the site was currently vacant. They also stated the adjacent land uses, and ownership of parcel and adjacent parcels. The 2004 Concord Township Comprehensive Plan recommendation for this area was given to the Land Use and Zoning Committee. That recommendation was to create a town center at the intersection of Concord-Hambden and Ravenna Roads.

Mr. Terriaco asked what “town center” meant. Staff stated that the township wished to created a retail and civic center at this site. The plan states “the area adjacent to the Town Hall—that focuses on serving the personal/service needs of the residents, provides for community gathering and service needs, and provides a walkable, pedestrian-safe environment.”

Mr. Haycox asked if sanitary sewer was available to this site. Staff stated no. The Department of Utilities was working on a plan to bring sanitary to this area. Mr. Haycox stated that he believed it would be improper for us to recommend approval to a higher use without sanitary sewer being available. Staff stated that he would agree with Mr. Haycox if the Township was proposing to make the change. It would put a burden on the owner of the property because without sanitary sewer the owner would have to go to the Ohio EPA to on site system approval. If the land stayed residential, then the owner would go to the Lake County General Health District. Staff stated that the zoning district change was requested by the owner of the property. It was his decision to ask for the district change, not the township’s. The district change is recommended by the comprehensive plan and requested by the owner. If the owner cannot develop because of lack of sanitary sewer, that is his problem, not ours.

Mr. Klco made a motion to recommend the district change.

Mr. Morse seconded the motion.

Six voted “Aye”.

Two voted “Nay”.

Motion passed.

Painesville Township District Change R-1 to R-3

Staff started the presentation by showing the location of the proposed district change, which was on the east side of Richmond Road, south Grand River Village. Staff explained that the site was 0.867 of an acre of land and 0.477 of an acre is currently a duplex, which is a legal conforming use, the 0.39 of an acre is vacant. The duplex was built in 1980; this was prior to the creation of the R-3 district in 1987. They also stated the adjacent zoning, land uses, and ownership of parcel and adjacent parcels. The 1996 Painesville Township Comprehensive Plan recommendation for this area was given to the Land Use and Zoning Committee. That recommendation was that this area be single family residential.

Staff recommended that the district change not be made. It does not conform to the comprehensive plan. The existing non-conforming use can continue in the R-1 zone. The vacant lot would be a substandard lot size by 12 square feet. This zoning change could lead to other district changes along Richmond Road.

The committee asked if the legal non-conforming use could continue with a change in ownership. Staff stated that was correct. The issue with legal non-conforming uses was making changes to the structure. Home additions can be made so long as they do not exceed 10% of the square footage of the structure. The committee felt that, if the duplex was there legally, there is reason to change in the zoning this case. It may change the character of the area.

Mr. Haycox made a motion to recommend not making the district change.

Mr. Hullihen seconded the motion.

All voted "Aye".

The meeting ended at 7:25 P.M.